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To:	Office of Initial Patent Examination's Filing Receipt Corrections		
From:	Kim Tillman / (behalf of Margaret M. Buck)		
Fax:	571-273-8300	Total No. of Pages:	13 Pages
Phone:	N/A		
Date:	October 16, 2009		
Docket No.:	453-US-PCT	Application No.:	10/568,572
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			

• **Comments:**

To Whom It May Concern:

On February 21, 2008, we electronically filed a Request to Correct Filing Receipt that appears in PAIR. To date, we have not received an updated Filing Receipt with the corrected application title in this case. Please provide an updated Filing Receipt and/or provide an explanation as to the status of this matter.

The Office is invited to contact me at (#201-350-0791) if a telephonic interview would facilitate issuance of an updated Filing Receipt.

Transmitted herewith please find:

A copy of the Electronic Acknowledgement Receipt (3pgs); Copy of Request to Correct Filing Receipt dated February 21, 2008 (1pg); Marked-up Copy of Filing Receipt (3pgs) and Copy of Combined Declaration and Power of Attorney for Patent Application (6 pgs).

Thank you for your attention to this matter.

Kind Regards,

Kim Tillman 
Patent Administrator
Legal Department

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Electronic Acknowledgement Receipt

EFS ID:		2891288	RECEIVED CENTRAL FAX CENTER OCT 16 2009	
Application Number:		10568572		
International Application Number:				
Confirmation Number:		8471		
Title of Invention:		<p>Succinate and malonate salt of trans 4-(ir,3s)-6-chloro-3-phenylindan-1-yl)-1,2,2-trimethylpiperazine and the use as a medicament</p> <p>FEB 22 2008 222-08 KIRIT/KANC</p>		
First Named Inventor/Applicant Name:		Heldi Lopez de Diego		
Customer Number:		45821		
Filer:		Margaret M. Buck		
Filer Authorized By:				
Attorney Docket Number:		453-US-PCT		
Receipt Date:		21-FEB-2008		
Filing Date:		14-AUG-2008		
Time Stamp:		18:17:32		
Application Type:		U.S. National Stage under 35 USC 371		

Payment Information:

Submitted with Payment		no			
File Listing:					
Document Number	Document Description	File Name	File Size(Bytes) /Message Digest	Multi Part /.zip	Pages (if appl.)
1	Request for Corrected Filing Receipt	Request_For_Corrected_Filing_Receipt.pdf	19567 023b1e0d05b1674418c32578a7333a057c6908299	no	1
Warnings:					
Information:					

2	Request for Correcting Receipt	Filing_Receipt.pdf	188024 8d7d4d612b40d3b51c2c45834546790 007c4550	no	3
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3	NPL Documents	Balsara_Psychopharm_1979.pdf	957830 4041a0979a25e0c5e6600b784dd70af 815a1897	no	3
Warnings:					
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4	NPL Documents	Carlsson_L_Cardiovasc_Pharmacol_1990.pdf	3721931 8a91ba127703050b70d5334e05c633ed 294112b5	no	10
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Information:					
5	NPL Documents	Carlsson_Am_J_Psych_1978.pdf	3416183 7b03a1b2031848a2d11101f11e09a371 408d95a	no	10
Warnings:					
Information:					
6	NPL Documents	Chauret_DMD_2001.pdf	2588820 2b2497102738823841319a7c9785c4 40330341b	no	5
Warnings:					
Information:					
7	NPL Documents	Hyttel_J_Neurochem_1985.pdf	2431137 4c1a2132019a731c07048167c032a078a 33cd287	no	8
Warnings:					
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8	NPL Documents	Willner_Brain_Res_Rev_II_1983.pdf	3636071 381981f032412a580c2ad140b39a033c5b 8cd7b1	no	12
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9	NPL Documents	Willner_Brain_Res_Rev_III_1983.pdf	3076423 e7677ba054192235a712b014631a11c590 7cd884	no	10
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Information:					
10	Foreign Reference	WO9515299_A1.pdf	2861071 00a1133831c5568f45c050b97e32b1 8cca3db	no	25
Warnings:					
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11	Foreign Ref	WO2006016901_A1.pdf	1625859 714882a3000d58c23404b26588c248c a5761c34	no	38
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12	Information Disclosure Statement Letter	2008-02-21_SIDS Stmt_453-US-PCT_FILED.pdf	203251 9ee3859db4007d57ce973437ce6588b2d d51cd04e	no	2
Warnings:					
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13	Information Disclosure Statement (IDS) Filed	2008-02-21_SBO8_453-US-PCT_FILED.pdf	581014 97dcd45f7f594b960cc258ea108ae441b 88bcb0e40	no	4
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Total Files Size (in bytes):			25505171		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the Indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 Indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					

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OCT 16 2009

Docket No.: 453-US-PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Heidi Lopez de Diego et al. Confirmation No.: 6471
Serial No.: 10/568,572 Group Art Unit: 1614
Filed: August 14, 2006 Examiner: TBA
For: Succinate and Malonate Salts of [Trans-4-((1R,3S)-6-chloro-3-phenylindan-1-yl)-1,2,2-trimethylpiperazine] and Use as a Medicament

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Date: February 21, 2008

REQUEST TO CORRECT FILING RECEIPT

Sir/Madame:

Applicants submit a Request to Correct Filing Receipt in connection with the above-identified patent application along with a copy of the Filing Receipt showing the changes noted thereon in red. Please correct the title to read:

--SUCCINATE AND MALONATE SALTS OF [TRANS-4-((1R,3S)-6-CHLORO-3-PHENYLINDAN-1-YL)-1,2,2-TRIMETHYLPIPERAZINE] AND USE AS A MEDICAMENT--

It is respectfully requested that Applicants be issued a corrected Filing Receipt reflecting the change.

Respectfully submitted,

/Margaret M. Buck, Reg. No. 54,010/

Margaret M. Buck
Registration No. 54,010

Lundbeck Research USA, Inc.
215 College Road
Paramus, New Jersey 07652
(201) 261-1331 Ext. 790



UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office
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APPL NO.	FILING OR 371 (a) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/568,572	08/14/2006	1614	1030	453-US-PCT	3	17	2

CONFIRMATION NO. 6471

45821
LUNDBECK RESEARCH USA, INC.
ATTENTION: STEPHEN G. KALINCHAK, LEGAL
215 COLLEGE ROAD
PARAMUS, NJ 07652

FILING RECEIPT

10/568,572 08/14/2006 1614 1030 453-US-PCT 3 17 2
"OC000000020289757"

Date Mailed: 09/06/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Heidi Lopez de Diego, Naerum, DENMARK;
Ole Nielsen, Valby, DENMARK;
Lone Munch Ringgard, Copenhagen, DENMARK;
Henrik Svane, Virum, DENMARK;
Allan Carsten Dahl, Nyrup, DENMARK;
Mark Howells, Havdrup, DENMARK;
Benny Bang-Andersen, Copenhagen S, DENMARK;
Lars Ole Lyngso, Vekso SJ, DENMARK;

Power of Attorney: The patent practitioners associated with Customer Number 45821.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/DK04/00545 08/18/2004

Foreign Applications

DENMARK PA200301180 08/18/2003
UNITED STATES OF AMERICA 60496058 08/18/2003
DENMARK PA200301305 09/11/2003
UNITED STATES OF AMERICA 60520246 11/14/2003

If Required, Foreign Filing License Granted: 09/04/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/568,572**

Projected Publication Date: 12/14/2008

Non-Publication Request: No

Early Publication Request: No

Title **SUCCINATE AND MALONATE SALTS OF [TRANS-4-((1R,3S)-6-CHLORO-3-PHENYLINDAN-1-YL)-1,2,2-TRIMETHYLPYPERAZINE] AND USE AS A MEDICAMENT**
~~Succinate and malonate salt of trans-4-((1R,3S)-6-chloro-3-phenylindan-1-yl)-1,2,2-trimethylpyperazine and the use as a medicament~~

Preliminary Class

514

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 37, Code of Federal Regulations, 5.11 & 5.15**

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No license under 35 U.S.C. 184 has been granted at this time. If the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

453-03

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

(Page 1)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Succinate and malonate salt of Trans-4-((1R,3S)-6-chloro-3-phenylindan-1-yl)-1,2,2-trimethylpiperazine and the use as a medicament

the specification of which

☐ is attached hereto

☒ was filed on 18 August 2004 as United States Patent Application No. or PCT International Application No. PCT/DK2004/000545 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b), of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designates at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Application No</u>	<u>Filed (Day/Mo./Yr.)</u>	<u>Priority Claimed</u> (Yes unless box is checked)
Denmark	PA200301180	18 August 2003	<input type="checkbox"/>
Denmark	PA200301305	11 September 2003	<input type="checkbox"/>

SSL-DOCS1

**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
(Page 2)**

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

<u>Application No.</u>	<u>Filed (Day/Mo./Yr.)</u>
60/496,058	18 August 2003
60/520,246	14 November 2003

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>Application No.</u>	<u>Filed (Day/Mo./Yr.)</u>	<u>Status (Patented, Pending, Abandoned)</u>
PCT/DK2004/000343	18 August 2004	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the practitioners associated with Customer Number 45821 to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and I hereby authorize them to add new practitioners to, and delete practitioners from, that Customer Number.

Send all correspondence to the address associated with Customer Number 45821*.

Direct all calls to the telephone number associated with Customer Number 45821*.

* The address, telephone and facsimile numbers associated with Customer Number 45821 are:

Lundbeck Research USA, Inc.
Attention: Stephen G. Kalinchak, Legal
215 College Road
Paramus, NJ 07652
Tel: (201) 350-0781
Fax: (201) 225-9571

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
(Page 3)

Full Name of Sole or First Inventor: Heldi Lopez de Diego

Inventor's signature: 

Date: 20-Feb-2006

Citizen/Subject of: Denmark

Residence: Hælderne 5, DK-2850, Nærum, Denmark

Post Office Address: Same as residence

Full Name of Second Inventor, if any: Ole Nielsen

Inventor's signature: 


Date: 02-FEB-2006

Citizen/Subject of: Denmark

Residence: Nystedvej 19, DK-2500, Valby, Denmark

Post Office Address: Same as residence

Full Name of Third Inventor, if any: Lone Munch Ringgard

Inventor's signature: 

Date: 02-MAR-2006

Citizen/Subject of: Denmark

Residence: Hillerødsgade 116, 3. th, DK-2400, Copenhagen NV, Denmark

Post Office Address: Same as residence

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
(Page 4)

Full Name of Fourth Inventor, if any: Henrik Svane

Inventor's signature: [Signature] Date: 02. mar. 2006

Citizen/Subject of: Denmark

Residence: Skodsborgvej 12, DK-2830, Virum, Denmark

Post Office Address: Same as residence

Full Name of Fifth Inventor, if any: Allan Carsten Dahl

Inventor's signature: [Signature] Date: 2. MAR 2006

Citizen/Subject of: Denmark

Residence: Vialstedvej 8, Vialsted, DK-4296, Nyrup, Denmark

Post Office Address: Same as residence

Full Name of Sixth Inventor, if any: Mark Howells

Inventor's signature: [Signature] Date: 7 Mar 2006

Citizen/Subject of: Great Britain

Residence: Ulvemosevej 1B, DK- 4622, Havdrup, Denmark

Post Office Address: Same as residence

COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
(Page 5)

Full Name of Seventh Inventor, if any: Benny Bang-Andersen

Inventor's signature: [Signature] Date: 2. March 2006

Citizen/Subject of: Denmark

Residence: Lillegrund 33, DK-2300, Copenhagen S, Denmark

Post Office Address: Same as residence

Full Name of Eighth Inventor, if any: Lars Ole Lyngsø

Inventor's signature: [Signature] Date: 8. March 2006

Citizen/Subject of: Denmark

Residence: Skovvangsvej 6, Sørum, DK-3670, Veksø Sjl., Denmark

Post Office Address: Same as residence

Full Name of Ninth Inventor, if any: _____

Inventor's signature: _____ Date: _____

Citizen/Subject of: _____

Residence: _____

Post Office Address: _____

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